

# The Real Estate

Vol. 22 No. 2

July 2003

## Comments from the Chair

### A HEALTHY FREE FUND BALANCE IS...A GOOD THING!

by Diane Duncan, Commission Chair



Diane Duncan

During the 2003 Legislative session, the Commission fended off an attempt by the Idaho Legislature to transfer up to \$40,000 from the Commission's cash reserve balance, aka "free fund balance", to the state's general fund. The budget crisis caused the Legislature to hunt for every available revenue dollar.

The Commission does not operate on any monies from the state's general fund. It is you, the licensee, who pays the fees for the operation of the Idaho Real Estate Commission and we take the responsibility of your hard earned dollars very seriously.

We have been and will continue to be good stewards of the fees we collect from our licensees. We feel very strongly that the funds entrusted to us belong to you, the licensee, and we must practice good fiscal management of those dollars. One of our short-term goals is to reduce the fees you pay to renew your licenses.

Because of a general misunderstanding of how the Commission came to accrue this healthy balance, I have chosen to draft my last article to you to explain how your monies are used in the operation of the Idaho Real Estate Commission.

During the past four years, we have accumulated an 'atypical' free fund balance, in fact it is the largest free fund balance in memory. This is because,

over the past few years, we have implemented a number of cost-saving measures, including streamlining operations and reducing staff by 22 percent! The healthy free fund balance is not a result of excessive "fine" revenue but a combination of prudent business management, an unexpected increase in the numbers of licensees, and the implementation of on-line licensing services.

In the fiscal years FY1998-FY2002 we reverted a total of \$724,600 back to the special real estate account held by the Idaho State Treasurer. In plain language this means that the Legislature, who must approve our budget and give us permission before we can spend any of the monies we collect, had approved our budgets and we, through stringent business practices and the help of a committed and hard working staff, were able to NOT spend all the dollars allotted to us!

Your Commission staff is not an agency that practices spending every available dollar at the end of the fiscal year. Your Commissioners, just as you, are business people and have been able to put our business experience to work for you. This year alone we reduced fees to licensees some \$48,000 and will continue to do so when prudent.

Our business is cyclical and we move carefully and cautiously. When we budget we must account for "heavy" and "light" years. For example, in FY98, a light year, we issued 2,847 licenses for those entering the business and renewals. In FY99, a heavy year, that number jumped 43% to 4,072. In FY00 there was a decrease of 33% to 3,063 and FY01 saw a 37% increase to 4,182; FY02 another decrease of 25% to 3,340.

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## On-Line Services

[www.idahorealestatecommission.com](http://www.idahorealestatecommission.com)

Just a reminder that the Commission offers several useful online services. These services include:

- ◆ Change personal address
- ◆ Register for IREC sponsored courses
- ◆ Change personal name
- ◆ Review posted education
- ◆ Renew license up to 90 days early
- ◆ Renew late license (up to one year from license expiration date)
- ◆ Print renewed license
- ◆ Search our Licensee database in "real time" by Last Name, First Name, Company Name, City, County, or by more than one search criteria

### Brokers can:

- ◆ Add or remove associates from their office
- ◆ Change address of the office(s)
- ◆ Change the name of the office
- ◆ Print licenses for new associates
- ◆ Print duplicate licenses 

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## The Real Estate

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## 2003 Legislative Update

by Donna M. Jones, Executive Director



Donna Jones

The Commission's annual housekeeping bill and the resulting law changes that may affect your business are:

Idaho Code Section 54-2003 (3) – Adds back into law the requirement for brokerages that transact business in mobile homes, motor homes, or floating homes (those which are not attached to real property) must comply with Idaho Real Estate License Law in those transactions. It does not affect mobile home dealers.

Idaho Code Section 54-2013 (6) – Allows the licensee to “self certify” that they have complied with the Errors & Omissions Insurance requirements rather than sending certificates of insurance with their license renewal applications. This change will assist licensees in renewing online. Proof of insurance is subject to audit by the Commission.

Idaho Code Section 54-2018 (2) – Clarifies that renewals and applications for licensure must be RECEIVED at the Commission office by 5 P.M. of the expiration date, **NOT postmarked** on the last day of the expiration date.

Idaho Code Section 54-2018 (8) – Adds back into law that a licensee is not entitled to a refund if he decides to terminate his license.

Idaho Code Section 54-2023 (2) – Clarifies that a licensee will not get Continuing Education (CE) credit for taking the same Core Course twice in one license period.

Idaho Code Section 54-2035 – Reorganizes this subsection by inserting a long standing Commission policy for real estate providers and instructors into law.

Idaho Code Section 54-2054 (2) –

Current statute is limited to corporations as business entities. This change is simply to expand it to include such entities as Limited Liability Companies (LLCs) Limited Liability Partnerships (LLPs), Limited Partnerships (LPs), and Partnerships.

Idaho Code Section 54-2054 (9) – Under current law, licensees must be paid their commissions through their broker. This change will allow a licensee, rather than his broker to pay his licensed personal assistant or another sales associate, as long as they work under the same broker.

Idaho Code Section 54-2055 – Simply requires that when a licensee buys or sells property, he must run it through his broker, rather than through a broker from another company.


Review of License Applications of Convicted Felons - (Idaho Code Section 54-2012)

Previously, our Real Estate License Law provided a five-year “waiting” period before a convicted felon could qualify for a real estate license. Once this five-year period had elapsed, the Commission was without authority to deny a license based upon the applicant's convictions, regardless of the severity of the conviction, its relationship to the practice of real estate, and any other circumstances that may have been relevant to the applicant's suitability for a license.

Therefore, Senate Bill 1048, passed into law this session, provides the Commission with authority to review the license applications of any person who has been convicted of ANY felony.

It also sets STANDARDS that the applicant must meet and lists the CRITERIA that will be considered by the Commission.

The “trigger” event for the five-year waiting period will now begin when the applicant is released from probation or parole, rather than when the person is convicted or released from prison.

This law change is important to the real estate industry for the protection of the public and the licensees. 

# Are YOU Engaging in Activities Requiring a License From the Department of Finance?

by Donna M. Jones, Executive Director


## **“Assisting” Customers or Clients Prepare A Loan Application Requires Licensure by Department of Finance; Real Estate Licensees Are No Longer Exempt!**

Effective July 1<sup>st</sup>, real estate licensees will no longer be exempt from the Residential Mortgage Practices Act. This means that real estate licensees for the first time will be prohibited from engaging in “mortgage banking” or “mortgage brokering” activities without obtaining a license to do so from the Department of Finance. Engaging in these activities without a mortgage broker’s license is a felony, and further subjects the person to an administrative fine of up to \$5,000. Real Estate licensees have long been exempt from this licensing requirement. However, because the Real Estate Commission does not regulate its licensees’ activities in area of mortgage lending, those practices essentially have gone unregulated. The purpose of the bill

eliminating the exemption, HB248, is to provide the missing oversight.

The Department of Finance has indicated that it will apply the Residential Mortgage Practice Act broadly to regulate mortgage broker/banker activities and protect consumers. The Act defines “mortgage banking activities” and “mortgage broker activities” to include: “for compensation or gain, either directly or indirectly . . . **assisting or offering to assist in the preparation of an application of a residential mortgage loan.**”

According to the Department, “compensation or gain” includes compensation or gain from **any** source, and is not limited to payment or an “origination fee” from the lender. The term “assisting in the preparation of an application” may be broadly construed by the Department, and might include acts currently performed by some real estate licensees. A real estate licensee must now take caution to not cross the line between

providing customers with loan information, and “assisting” them in the loan application process. Doing the latter, without a proper license, could land the real estate licensee in serious trouble with the Department of Finance. For more information about the requirements for a mortgage broker’s license, contact the Department of Finance at: [www.finance.state.id.us](http://www.finance.state.id.us) or by calling them at: 208-332-8000. 

## **Have you considered teaching?**

If you have 5 years active real estate experience, and theoretical or practical experience in a specific subject matter (i.e. finance), then you might consider a career in teaching!

Briefly, to become a certified instructor, you would need to:

- attend a Train the Trainer Workshop
- observe a course and pass the final exam
- create a lesson plan
- team teach

The Council and Commission staff are committed to providing quality education to licensees, and as part of that commitment, work very closely with prospective instructors to prepare them for certification. It can be a very rewarding experience.

Give the Commission office a call if this sounds interesting to you!

## **How to Contact Us...**

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# Continuing Education Frequently Asked Questions

**Question:** I have until the end of this month to renew my license and haven't taken any CE. How can I get the courses today?

**Answer:** We strongly recommend NOT waiting until the month you renew to take continuing education courses as there may not be enough courses available in that short amount of time to fulfill the requirements. There is a course schedule on our website at [www.idahorealestatecommission.com](http://www.idahorealestatecommission.com).

**Question:** Isn't the required Ethics course a Core Course?

**Answer:** No. The only CE Core Course offered in Idaho is called "Continuing Education Core 20XX". The year changes when the Core Course is updated every July 1st.

Completing the ethics course is a National Association of REALTORS® requirement and although some Ethics courses count as elective credit toward license renewal, it is not a renewal requirement. For more information regarding the Ethics course requirement, contact the Idaho Association of REALTORS® at 208-342-3585 or toll free at 800-858-8701.

**Question:** I have always taken the challenge exams to meet the entire continuing education requirement. Can I still do that?

**Answer:** The options for challenging exams to meet continuing education requirements are:

- ◆ CE Core Course
- ◆ Buyer Brokerage 4-hour elective
- ◆ Commission-developed broker courses (Finance, Law, Brokerage Management or Valuation & Analysis).

Contact the Commission office for information on how to prepare for the exams.

**Question:** I have challenged the Real Estate Law final course exam and passed. Can I use that course toward obtaining my broker's license?

**Answer:** No. You cannot obtain credit for broker prelicensing by challenging

the course exam. You must successfully complete the course.

Only credit toward the continuing education elective requirements will be given for challenging a broker-level course.

**Question:** How do I know the courses I plan on taking count toward my elective continuing education?

**Answer:** Criteria from Idaho Code 54-2023 is listed on our website at: <http://www.idahorealestatecommission.com/EdCorner/CEinfo.html>. From there, licensees can link to information to determine if a course qualifies toward continuing education elective credit.

**Question:** If a student takes a broker

course for CE credit, but not for broker licensing credit, are they still required to complete the final course exam?

**Answer:** Yes. To receive any credit for this advanced broker level course, the exam is required. (IC 54-2036)

**Question:** I've been taking classes to get a professional real estate designation. Does any of that count toward CE?

**Answer:** Yes. Any course developed by a national professional organization that is required in order to earn a professional real estate designation will be accepted for CE elective credit.

**Question:** If I took an approved CE course in Washington in June 2003 and  
*(continued on page 13)*


*(Comments from page 1)*

The benefits of the Commission savings are already being passed on to licensees. In September 2002, a \$10 Errors & Omissions Insurance applicant fee was eliminated which is projected to result in a revenue reduction of \$23,230 per year- every year. We also eliminated a \$5 per student "posting fee" for continuing education courses, which will result in revenue reduction of \$25,000 per year- every year.

Not only is the Real Estate Commission eliminating fees, but we are also adding services. We have added a toll free line so those licensees outside of Boise can call the Commission at no additional cost to them. The Commission has been absorbing the "convenience fees" for online license renewals and eliminating some of the fees for changing license status online. We added our own website, since it was difficult to find the Real Estate Commission's website when it was a part of the State of Idaho's home page. We keep adding information to our website to make it more convenient for you, the licensee. We will be adding information regarding our budget to the website soon, so you can see where

your licensing dollars are being spent.

As the Legislature continues to look for revenue sources, I feel our funds will come under attack again. If not for a few concerned licensees writing and calling their Representatives and Senators, we probably would have lost the funds this year. The Real Estate Commission has been coming up with ideas of where to put those funds, such as creating a special education account, low income housing account (like the trust the Legislature set up with Idaho Housing, but never funded), etc. We would like the input of the licensees, since this is your money the Legislature wants to put into the State's general fund. Currently, the Real Estate Commission only has one account in which to put funds. Any change will have to be a legislative change. Our legislative ideas must be presented to the Governor's office in August. Let the Commission know what changes you would like to see.

On a personal note, it has been an honor to serve you as the North District Commissioner for the past eight years. It has been an interesting experience. My husband, Freeman, and I are looking forward to a more quiet existence in beautiful North Idaho. Best wishes to you all. 



# Course Schedules July - December 2003

## Sales Prelicensure

Real estate education is required for a salesperson's license. This 90-hour course is designed for the beginner in real estate who has little, if any, previous knowledge in the field. Completion of both modules, in order, will satisfy the educational requirements for a salesperson's license. Specific information concerning education requirements for licensure can be found in the "Idaho Real Estate License Manual." **To register for a course, contact the provider.**

### Real Estate Module 1 (45 hours)

Dates	Time	Phone #	Provider/Location	Cost	Instructor
Correspondence (FIN C201 Fund. of RE)		208-885-6641	UofI/ISO	\$300	Loegering
Correspondence (RE305x 3 credit)		509-335-3557	WSU	\$495	Crellin
On-line (Real Estate & Urban Economics)		307-766-4199	UofWy	\$420	Sunderman
July 7-10, 11-14	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
July 7-10, 15-18	9am-5pm	208-524-3000	EITC/Idaho Falls	\$275	Galloway
July 7-8, 11-12, 14-15	8am-5pm	208-769-3444	NIC/Post Falls	\$249	Hatch
July 9-11, 14-16	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist
Aug. 4-Sept. 15	6pm-10pm	208-377-4300	Pioneer/Boise	\$275	TBA
Aug. 4-8, 11	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
Aug. 6-8, 11-13	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist
Sept. 2-5, 8-9	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
Sept. 2-Oct. 21	6pm-9:30pm	208-426-4730	BSU WFT/Nampa	\$275	Jonas
Sept. 3-5, 8-10	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist
Sept. 4-5, 8-9, 12-13	8am-5pm	208-769-3444	NIC/Post Falls	\$249	Hatch
Sept. 18-20, 25-27	8am-5pm	208-223-4733	CSI/Twin Falls	\$338	Jonas
Sept. 22-Oct. 29	6pm-10pm	208-377-4300	Pioneer/Boise	\$275	Jonas
Oct. 1-4, 6-9	9am-4pm	208-282-3372	ISU/Pocatello	\$215	Johnston
Oct. 1-3, 6-8	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist
Oct. 6-10, 13	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
Oct. 6-8, 15-17	8am-5pm	208-223-4733	CSI/Hailey	\$338	Learned
Nov. 3-7, 10	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
Nov. 3-Dec. 15	6pm-10pm	208-377-4300	Pioneer/Boise	\$275	Jonas
Nov. 5-7, 10-12	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist
Nov. 6-8, 10, 12-13	8am-5pm	208-769-3444	NIC/Post Falls	\$249	Hatch
Dec. 1-5, 8	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
Dec. 3-5, 8-10	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist

### Real Estate Module 2 (45 hours)

Dates	Time	Phone #	Provider/Location	Cost	Instructor
July 15-18, 21-22	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
July 17-21, 22-24	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist
July 31, Aug. 2, 4-8	9am-4pm	208-524-3000	EITC/Idaho Falls	\$275	Galloway
Aug. 4-5, 7-8, 11-12	8am-5pm	208-769-3444	NIC/Post Falls	\$249	Hatch
Aug. 12-15, 18-19	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
Aug. 14-18, 19-21	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist
Sept. 10-12, 15-17	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
Sept. 11-15, 16-18	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist
Sept. 23-Oct. 29	6pm-10pm	208-377-4300	Pioneer/Boise	\$275	TBA
Oct. 9-11, 16-18	8am-5pm	208-223-4733	CSI/Twin Falls	\$338	Jonas
Oct. 9-13, 14-16	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist
Oct. 14-17, 20-21	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
Oct. 15-18, 20-23	9am-4pm	208-282-3372	ISU/Pocatello	\$215	Galloway
Oct. 28-Dec. 16	6pm-9:30pm	208-426-4730	BSU WFT/Nampa	\$275	Jonas
Nov. 4-Dec. 16	6pm-10pm	208-377-4300	Pioneer/Boise	\$275	TBA
Nov. 5-7, 12-14	8am-5pm	208-223-4733	CSI/Hailey	\$338	Clifton
Nov. 11-14, 17-18	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
Nov. 13-17, 18-20	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist
Nov. 14-22	8am-5pm	208-769-3444	NIC/Post Falls	\$249	Hatch
Dec. 2-3, 5-6, 8-9	8am-5pm	208-769-3444	NIC/Post Falls	\$249	Hatch
Dec. 9-12, 15-16	8am-5pm	208-377-4300	Pioneer/Boise	\$275	Byers
Dec. 11-15, 16-18	8am-5pm	208-377-9247	AREC/Boise	\$275	Heist

## Broker Courses

Four additional courses of at least 90 hours of advanced approved real estate education is required for a broker's license. Specific information concerning educational requirements for licensure can be found in the Idaho Real Estate License Manual. These courses are also approved for elective continuing education credit. **To register for a course, contact the provider.**

### Brokerage Management (30 hours)

Required course for broker's license. Intended to help a person understand how to set up and run a real estate brokerage office and emphasizes the application of management techniques required for the brokerage operation.

Date	Time	Phone #	Provider/Location	Cost	Instructor
Sept. 29-30, Oct. 1-2	8am-5pm	208-377-4300	Pioneer/Boise	\$250	Jonas
Nov. 14-15, 21-22	8am-5pm	208-769-3444	NIC/Post Falls	\$249	Hatch
Dec. 4-5, 10-11	8am-5pm	208-223-4733	CSI/Twin Falls	\$260	Jonas

### Finance (30-45 hours)

Elective course for a broker's license. Designed as an introduction to real estate financing and includes a study of the sources and application of funds, the financial instruments commonly used, institutional structures and policies, and loan processing. Each student must be familiar with a financial calculator prior to enrolling.

Date	Time	Phone #	Provider/Location	Cost	Instructor
Correspondence (BUS C262)		208-885-6641	Uofl-ISO	\$300	Hatch
Oct. 9-10, 16-17	8am-5pm	208-223-4733	CSI/Twin Falls	\$260	Clifton
Nov. 19-22	8am-5pm	208-377-4300	Pioneer/Boise	\$250	Clifton

### Introduction to Income Property Appraisal (23 hours)

Elective course for a broker's license. An **advanced** course covering the purpose of appraisals, the appraisal process and the different approaches, methods, and techniques used to determine the value of various types of property.

Date	Time	Phone #	Provider/Location	Cost	Instructor
Oct. 22-24	8am-5pm	208-223-4733	CSI/Twin Falls	\$260	Nelson

### Law (30-45 hours)

Required course for broker's license. Designed for the real estate professional as a course in the general principles of law governing the interest in real estate, and to acquaint the student with how the law works, but is not intended to be a substitute for competent legal counsel.

Date	Time	Phone #	Provider/Location	Cost	Instructor
Correspondence (BUS 263)		208-885-6641	Uofl-ISO	\$300	Felton
Aug. 25-28	8am-5pm	208-377-4300	Pioneer/Boise	\$295	May
Oct. 20-21, 27-28	8am-5pm	208-342-3585	IAR/Couerd'Alene	\$260	Marfice
Sept. 11-12, 18-19	8am-5pm	208-223-4733	CSI/Twin Falls	\$260	May

### Valuation and Analysis (30-45 hours)

Elective course for a broker's license. An introductory course covering the purpose of appraisals, the appraisal process and the different approaches, methods, and techniques used to determine the value of various types of property.

Date	Time	Phone #	Provider/Location	Cost	Instructor
Oct. 27-30	8am-5pm	208-377-4300	Pioneer/Boise	\$250	Nelson
Sept. 13-21	8am-5pm	208-524-3000	EITC/Idaho Falls	\$250	Morrison
Nov. 17-18, 24-25	8am-5pm	208-223-4733	CSI/Twin Falls	\$260	Nelson

## Other Courses

### Business Conduct & Office Operations (4 hours)

Designed for brokers, sales associates, secretaries, bookkeepers, and other related personnel, this course acquaints them with the current laws, rules and procedures governing the handling of client funds, brings participants up-to-date on changes in the laws, rules and procedures governing the handling of client funds, and assists real estate firms in developing good record keeping and business practices. This course is approved for elective continuing education credit.

Date	Time	Phone #	Provider/Location	Cost	Instructor
Correspondence	n/a	208-334-3285	IREC	\$20	Staff
July 31	8:30a-12:30p	208-334-3285	IREC/CDA	\$20	Mesaros
August	8:30a-12:30p	208-334-3285	IREC/Blackfoot	\$20	Mesaros
August 28	8am-12pm	208-377-9247	AREC/Boise	\$40	Heist
September	8:30am-12pm	208-334-3285	IREC/Ketchum	\$20	Mesaros
October	8:30a-12:30p	208-334-3285	IREC/Lewiston	\$20	Mesaros
October 29	8am-12pm	208-377-9247	AREC/Boise	\$40	Heist
November	8:30a-12:30p	208-334-3285	IREC/Caldwell	\$20	Mesaros
December 12	8:30am-12pm	208-334-3285	IREC/Burley	\$20	Mesaros
December 1	8am-12pm	208-377-9247	AREC/Boise	\$40	Heist

## Continuing Education

*These courses are intended to keep the licensee abreast of changes in the real estate profession. For complete CE requirements, visit our website at [www.idahorealestatecommission.com](http://www.idahorealestatecommission.com). **To register for a course, contact the provider.***

<u>Name</u>	<u>Apprvl#</u>	<u>Hrs</u>	<u>Date</u>	<u>Phone #</u>	<u>Provider/City</u>	<u>Cost</u>	<u>Instrct</u>
Business Conduct & Office Operations	BC001S	4	<i>corresp</i>	208-334-3285	IREC	\$20	Staff
Buyer Brokerage	CE013E	4	<i>vid/aud</i>	208-334-3285	IREC	\$15	Staff
Buyer Representation in Real Estate	E0060	6	<i>online</i>	206-523-9801	CEO	\$45	Myers
Computaught ADA & Fair Housing	E0030	4	<i>online</i>	800-532-7649	REWeb	\$45	LaMere
Computaught Consensual Dual Agency	E0032	4	<i>online</i>	800-532-7649	REWeb	\$45	LaMere
Computaught Ethics in Real Estate	E0028	4	<i>online</i>	800-532-7649	REWeb	\$45	LaMere
Computaught Real Estate Math	E0031	4	<i>online</i>	800-532-7649	REWeb	\$45	LaMere
Ethics in Real Estate	E0061	6	<i>online</i>	206-523-9801	CEO	\$45	Myers
CE Core 2003	C2003	4	<i>vid/aud</i>	208-334-3285	IREC	\$15	Staff
CE Core 2003	C2003	4	July 7	208-769-3444	NIC/Sandpoint	\$39	Albi
Risk Management	E0073	4	July 7	208-769-3444	NIC/Sandpoint	\$39	Albi
Understanding & Using Real Estate Contracts	E0066	4	July 8	208-769-3444	NIC/Sandpoint	\$39	Albi
CE Core 2003	C2003	4	July 9	208-342-3585	IAR/Ketchum	TBA	Adams
CE Core 2003	C2003	4	July 9	208-769-3444	NIC/Post Falls	\$39	Hatch
Groundwater & Wells-Solutions for ID REALTORS®	E0062	4	July 10	208-342-3585	IAR/Idaho Falls	\$40	Rush
Understanding & Using Real Estate Contracts	E0066	4	July 10	208-769-3444	NIC/Post Falls	\$39	Albi
Risk Management	E0073	4	July 10	208-769-3444	NIC/Post Falls	\$39	Hatch
Idaho Real Estate Brokerage Representation Act	E0059	4	July 11	208-342-3585	IAR/Idaho Falls	\$40	Mooney
Cracking the Code-Understanding REALTOR® Ethics	E0034	4	July 11	208-342-3585	IAR/Idaho Falls	\$40	Mooney
CE Core 2003	C2003	4	July 12	208-342-3585	IAR/Idaho Falls	\$40	Mooney
Commission Meeting	CM01S	3	July 16-17	208-334-3285	IREC/Boise	\$0	N/A
Commercial Real Estate-Listing Properties	E0080	8	July 23	208-377-4300	Pioneer/Boise	\$65	Byers
CE Core 2003	C2003	4	July 24	208-377-4300	Pioneer/Boise	\$45	Byers
Buyer Brokerage	CE013E	4	July 28	208-377-9247	AREC/Boise	\$40	Heist
CE Core 2003	C2003	4	July 28	208-377-9247	AREC/Boise	\$40	Heist
Introduction to Commercial Real Estate Sales	E0078	6	July 29	208-377-9247	AREC/Boise	\$40	Heist
Risk Management	E0073	4	July 29	208-377-9247	AREC/Boise	\$40	Heist
CE Core 2003	C2003	4	July 30	208-377-9247	AREC/Boise	\$40	Heist
Business Conduct & Office Operations	BC001S	4	July 31	208-334-3285	IREC/CDA	\$20	Mesaros
CE Core 2003	C2003	4	Aug. 6	208-342-3585	IAR/Twin Falls	TBA	Adams
Fair Housing, ADA, & Real Estate Agents	E0067	4	Aug. 6	208-769-3444	NIC/Post Falls	\$39	Hatch
CE Core 2003	C2003	4	Aug. 6	208-769-3444	NIC/Post Falls	\$39	Hatch
Understanding & Using Real Estate Contracts	E0066	4	Aug. 7	208-769-3444	NIC/Post Falls	\$39	Albi
Commercial Real Estate-Listing Properties	E0080	8	Aug. 20	208-377-4300	Pioneer/Boise	\$65	Byers
CE Core 2003	C2003	4	Aug. 21	208-377-4300	Pioneer/Boise	\$45	Byers
CE Core 2003	C2003	4	Aug. 25	208-377-9247	AREC/Boise	\$40	Heist
Buyer Brokerage	CE013E	4	Aug. 25	208-377-9247	AREC/Boise	\$40	Heist
Introduction to Commercial Real Estate Sales	E0078	6	Aug. 26	208-377-9247	AREC/Boise	\$40	Heist
Risk Management	E0073	4	Aug. 26	208-377-9247	AREC/Boise	\$40	Heist
CE Core 2003	C2003	4	Aug. 27	208-377-9247	AREC/Boise	\$40	Heist
Business Conduct & Office Operations	BC001S	4	Aug. 28	208-377-9247	AREC/Boise	\$40	Heist
Business Conduct & Office Operations	BC001S	4	Aug-TBA	208-334-3285	IREC/Blackfoot	\$20	Mesaros
CE Core 2003	C2003	4	Sept. 8	208-223-4733	CSI/Twin Falls	\$45	Jonas
CE Core 2003	C2003	4	Sept. 10	208-769-3444	NIC/Post Falls	\$39	Albi
Risk Management	E0073	4	Sept. 10	208-769-3444	NIC/Post Falls	\$39	Albi
Americans with Disabilities & Real Estate Practices	E0076	4	Sept. 11	208-769-3444	NIC/Post Falls	\$39	Hatch
Environmental Issues & Real Estate Practice	E0016	4	Sept. 11	208-769-3444	NIC/Post Falls	\$39	Hatch
Commercial Real Estate-Listing Properties	E0080	8	Sept. 18	208-377-4300	Pioneer/Boise	\$65	Byers
CE Core 2003	C2003	4	Sept. 19	208-377-4300	Pioneer/Boise	\$45	Byers
Buyer Brokerage	CE013E	4	Sept. 24	208-377-9247	AREC/Boise	\$40	Heist
CE Core 2003	C2003	4	Sept. 24	208-377-9247	AREC/Boise	\$40	Heist
Introduction to Commercial Real Estate Sales	E0078	6	Sept. 25	208-377-9247	AREC/Boise	\$40	Heist

(continued on page 8)

## Continuing Education Courses (Continued)

Name	Apprvl#	Hrs	Dates	Phone#	Provider/City	Cost	Instrctr
Risk Management	E0073	4	Sept. 25	208-377-9247	AREC/Boise	\$40	Heist
CE Core 2003	C2003	4	Sept. 26	208-377-9247	AREC/Boise	\$40	Heist
Business Conduct & Office Operations	BC001S	4	Sept-TBA	208-334-3585	IREC/Boise	\$20	Mesaros
Business Conduct & Office Operations	BC001S	4	Oct. 3	208-334-3285	IREC/Lewiston	\$20	Mesaros
CE Core 2003	C2003	4	Oct. 9	208-342-3585	IAR/Lewiston	\$40	Mooney
Groundwater & Wells: Solutions for ID REALTORS®	E0062	4	Oct. 9	208-342-3585	IAR/Lewiston	\$40	Rush
Cracking the Code-Understanding REALTOR® Ethics	E0034	4	Oct. 9	208-342-3585	IAR/Lewiston	\$40	Mooney
CECore 2003	C2003	4	Oct. 10	208-769-3444	NIC/Post Falls	\$39	Hatch
Buyer Brokerage	CE013E	4	Oct. 10	208-769-3444	NIC/Post Falls	\$39	Hatch
Understanding & Using Real Estate Contracts	E0066	4	Oct. 11	208-769-3444	NIC/Post Falls	\$39	Albi
CE Core 2003	C2003	4	Oct. 16	208-342-3585	IAR/Pocatello	\$40	Leister
CE Core 2003	C2003	4	Oct. 16	208-342-3585	IAR/Twin Falls	\$40	Clifton
Groundwater & Wells: Solutions for ID REALTORS®	E0062	4	Oct. 16	208-342-3585	IAR/Pocatello	\$40	Rush
Cracking the Code-Understanding REALTOR® Ethics	E0034	4	Oct. 16	208-342-3585	IAR/Pocatello	\$40	Leister
Cracking the Code-Understanding REALTOR® Ethics	E0034	4	Oct. 16	208-342-3585	IAR/Twin Falls	\$40	Clifton
CE Core 2003	C2003	4	Oct. 17	208-342-3585	IAR/Burley	\$40	Adams
CE Core 2003	C2003	4	Oct. 22	208-377-9247	AREC/Boise	\$40	Heist
Buyer Brokerage	CE013E	4	Oct. 22	208-377-9247	AREC/Boise	\$40	Heist
Commercial Real Estate-Listing Properties	E0080	8	Oct. 22	208-377-4300	Pioneer/Boise	\$65	Byers
CE Core 2003	C2003	4	Oct. 23	208-377-4300	Pioneer/Boise	\$45	Byers
Risk Management	E0073	4	Oct. 23	208-377-9247	AREC/Boise	\$40	Heist
Introduction to Commercial Real Estate Sales	E0078	6	Oct. 23	208-377-9247	AREC/Boise	\$40	Heist
CE Core 2003	C2003	4	Oct. 24	208-377-9247	AREC/Boise	\$40	Heist
Business Conduct & Office Operations	BC001S	4	Oct. 29	208-377-9247	AREC/Boise	\$40	Heist
CE Core 2003	C2003	4	Nov. 4	208-769-3444	NIC/Post Falls	\$39	Hatch
Americans with Disabilities & Real Estate Practices	E0076	4	Nov. 4	208-769-3444	NIC/Post Falls	\$39	Hatch
Understanding & Using Real Estate Contracts	E0066	4	Nov. 5	208-769-3444	NIC/Post Falls	\$39	Albi
CE Core 2003	C2003	4	Nov. 10	208-769-3444	NIC/Sandpoint	\$39	Albi
Fair Housing, ADA, & Real Estate Agents	E0067	4	Nov. 11	208-769-3444	NIC/Sandpoint	\$39	Hatch
CE Core 2003	C2003	4	Nov. 17	208-223-4733	CSI/Twin Falls	\$45	Jonas
CE Core 2003	C2003	4	Nov. 20	208-342-3585	IAR/Nampa	\$40	Heist
Cracking the Code-Understanding REALTOR® Ethics	E0034	4	Nov. 21	208-342-3585	IAR/Nampa	\$40	Heist
Introduction to Commercial Real Estate Sales	E0078	4	Nov. 21	208-342-3585	IAR/Nampa	\$40	Heist
Buyer Brokerage	CE013E	4	Nov. 24	208-377-9247	AREC/Boise	\$40	Heist
CE Core 2003	C2003	4	Nov. 24	208-377-9247	AREC/Boise	\$40	Heist
Commercial Real Estate-Listing Properties	E0080	8	Nov. 24	208-377-4300	Pioneer/Boise	\$65	Byers
Introduction to Commercial Real Estate Sales	E0078	6	Nov. 25	208-377-9247	AREC/Boise	\$40	Heist
Risk Management	E0073	4	Nov. 25	208-377-9247	AREC/Boise	\$40	Heist
CE Core 2003	C2003	4	Nov. 25	208-377-4300	Pioneer/Boise	\$45	Byers
Business Conduct & Office Operations	BC001S	4	Nov-TBA	208-334-3285	IREC/Caldwell	\$20	Mesaros
Business Conduct & Office Operations	BC001S	4	Dec. 1	208-377-9247	AREC/Boise	\$40	Heist
Cracking the Code-Understanding REALTOR® Ethics	E0034	4	Dec. 4	208-342-3585	IAR/Ketchum	TBA	Mooney
CE Core 2003	C2003	4	Dec. 4	208-342-3585	IAR/Ketchum	TBA	Mooney
CECore 2003	C2003	4	Dec. 10	208-769-3444	NIC/Post Falls	\$39	Albi
Buyer Brokerage	CE013E	4	Dec. 11	208-769-3444	NIC/Post Falls	\$39	Hatch
Environmental Issues & Real Estate Practice	E0071	4	Dec. 11	208-769-3444	NIC/Post Falls	\$39	Hatch
CE Core 2003	C2003	4	Dec. 13	208-223-4733	CSI/Twin Falls	\$45	Jonas
Commercial Real Estate-Listing Properties	E0080	8	Dec. 17	208-377-4300	Pioneer/Boise	\$65	Byers
CE Core 2003	C2003	4	Dec. 18	208-377-4300	Pioneer/Boise	\$45	Byers
Buyer Brokerage	CE013E	4	Dec. 22	208-377-9247	AREC/Boise	\$40	Heist
CE Core 2003	C2003	4	Dec. 22	208-377-9247	AREC/Boise	\$40	Heist
Introduction to Commercial Real Estate Sales	E0078	6	Dec. 23	208-377-9247	AREC/Boise	\$40	Heist
Risk Management	E0073	4	Dec. 23	208-377-9247	AREC/Boise	\$40	Heist
Business Conduct & Office Operations	BC001S	4	Dec-TBA	208-334-3285	IREC/Burley	\$20	Mesaros



# Disciplinary Actions

Formal actions issued by the Idaho Real Estate Commission:

**Bass, Robert R.**, designated broker for John L. Scott BOI in Boise. Stipulated to violation of Idaho Code, sections 54-2054(7)-obtaining compensation from more than one party without making full written disclosure to both parties; and 54-2038(1)(a)-failure to supervise and control the activities of all licensees associated with the brokerage for whom he was responsible. Given a formal reprimand; ordered to pay a civil fine of \$500; and required to pay the costs and attorney's fees associated with the administrative action.

**Baxter, Dianna M.**, current designated broker with Code of the West Realty, LLC, previously associate broker with Code of the West Realty, LLC, in Mackay. Stipulated to violations of Idaho Code sections 54-2048(3)(b)-failure to create and maintain representation agreements; 54-2051(4)(a)(c)(d) & (e)-failure to provide in writing all terms, provisions and statements; 54-2060(12)-gross misconduct; and 54-2087(3)-failure to promote the best interest of client. Given a formal reprimand for her actions; ordered to pay a \$3,500 civil fine; required to pay the costs and attorney's fees for this administrative action; and required to successfully complete a Real Estate Law course.

**Bortz, Scott C.**, sales associate with Coldwell Banker Resort Realty in Sandpoint. Stipulated to violations of sections 54-2023(1)(a)-failure to obtain necessary hours for CE; and 54-2060(7)-misstatement in renewing his real estate license. He was given a formal reprimand; required to pay a civil fine of \$250; and pay costs and attorney's fees.

**Bowen, Beverly R.**, sales associate with RE/MAX Homestead Realty in Idaho Falls. Voluntary surrender and permanent termination of her Idaho real estate license.

**Carr, Elizabeth Ann**, sales associate with John L. Scott BOI, in Boise. Stipulated and agreed to violation of section 54-2087(3)-failure to promote the best interest of the client in good faith, honest and fair dealing by disclosing to the client all adverse material facts actually known or which reasonably should have been known by the licensee. Given a formal reprimand; ordered to pay a civil fine of \$500; required to pay the costs and attorney's fees for the administrative action; and required

to successfully complete a Real Estate Law course within 6 months.

**Coates, David E.**, sales associate with Silver Sage Realty in Hagerman. Stipulated to violations of Idaho Code, sections 54-2023(1)(a)-failure to obtain adequate hours of CE; 54-2060(7)-misstatement in applying for license renewal. Given a formal reprimand; ordered to pay \$250 civil fine; and required to pay costs and attorney's fees.

**D'Alessio, Daniel V.**, associate broker with Keller Williams Realty Boise, in Boise. Stipulated to violations of sections 54-2023(1)(a)-failure to obtain CE; and 54-2060(7)-misstatement in applying for a license. Given a formal reprimand; ordered to pay a civil fine of \$250; and required to pay the costs and attorney's fees.

**Engelund, Carter W.**, sales associate with Coldwell Banker Aspen Realty in Boise. Stipulated to violations of sections 54-2023(1)(a)-failure to obtain CE; and 54-2060(7)-misstatement in applying for a license. Given a formal reprimand; ordered to pay a civil fine of \$250; and required to pay the costs and attorney's fees.

**Follbaum, Judy A.**, sales associate with Emmett 1 Real Estate in Emmett. Stipulated to violations of Idaho Code sections 54-2060(12)-gross negligence or reckless conduct; 54-2086(1)(d)-failure to disclose to a buyer/customer an adverse material fact; 54-2087(2)-failure to exercise reasonable skill and care. Given a formal reprimand; ordered to pay a civil fine of \$5,000; required to pay costs and attorney's fees; required to successfully complete a Real Estate Law class within 6 months; her real estate license is suspended from 4/1/03 until 9/30/03, however the last 5 months of her suspension are suspended provided she complies with the terms of the Final Order and does not violate any other license law.

**Gamblin, Elliott R.**, sales associate with House of Brokers Home Team in Boise. Stipulated to violations of sections 54-2023(1)(a)-failure to obtain CE; and 54-2060(7)-misstatement in applying for a license. Given a formal reprimand; ordered to pay a civil fine of \$250; and required to pay the costs and attorney's fees.

**Hess, Francis J. Jr.**, associate broker with Realty Executives of Treasure Valley in Boise. Stipulated to violations of Idaho

Code, sections 54-2023(1)(a)-failure to complete necessary Continuing Education requirements; and 54-2060(7)-misstatement in applying for a license. Given a formal reprimand; ordered to pay a civil fine of \$250; and required to pay costs and attorney's fees.

**Hudgens, Craig P.**, designated broker with 1<sup>st</sup> Team Realty in Newport, Washington. Voluntary surrender and permanent termination of his real estate license.

**Johnson, Curtis J.**, sales associate with GMAC Real Estate Northwest in Coeur d'Alene. Stipulated to violation of Idaho Code, sections 54-2023(1)(a)-failure to complete necessary Continuing Education requirements; and 54-2060(7)-misstatement in applying for a license. Given a formal reprimand; ordered to pay a civil fine of \$250; and required to pay costs and attorney's fees.

**Judy, Katherine A.**, sales associate with RE/MAX Tri-Cities LLC in Fruitland. Stipulated and agreed to violations of Idaho Code, sections 54-2054-2051(4)(a)-failure to include expiration date on Purchase & Sale Agreement; 54-2085(3)-using an expired representation agreement; 54-2085(4)-using the wrong representation confirmation; 54-2086(1)(b, c, & e)-failure to perform ministerial acts with honest, good faith, reasonable skill and care; failure to account for moneys placed in the care and responsibility of the brokerage; and failure to disclose to the seller all adverse material facts actually known or which reasonably should have been known. Given a formal reprimand for her actions; ordered to pay a \$1,000 civil fine; required to pay the costs and attorney fees for the administrative action; and required to successfully complete a Real Estate Law course within 6 months.

**Mayes, Blake**, designated broker with RE/MAX Capital City and Capitol City REALTORS®-Capitol City Property Management Company in Boise. Stipulated to violations Idaho Code, sections 54-2038(2)-allowing a person who is not properly licensed under the brokerage to represent RE/MAX Capital City; 54-2051(1)-failure to present an offer as soon as practicable; 54-2060(2)-making false promises. Given a formal reprimand; ordered to pay a civil fine of \$1,500; required to pay costs and attorney's fees; and required to successfully complete an Ethics course.

**McBride, Yvonne N. "Nickie"**, sales  
*(continued on page 10)*

*(Disciplinary from page 9)*

associate with Keller Williams Realty-Boise in Boise. Stipulated to violation of Idaho Code, section 54-2051(4)(b)-failure to state the actual form of consideration received. Given a formal reprimand; ordered to pay civil fine of \$500 in two installments of \$250; required to pay the costs and attorney's fees; and required to successfully complete a Real Estate Law course within 6 months.

**Noordam, Richard J.**, sales associate with River City Realty Inc., in Post Falls. Stipulated to violation of Idaho Code, sections 54-2051(4)(a)(c)(d)-failure to prepare a purchase and sale agreement that includes the required elements; 54-2055(2)-failure to disclose his license status as a principal to the transaction; 54-2055(3)-failure to run the transaction through a responsible broker; 54-2085(5)-failure to prepare a seller representation agreement. Given a formal reprimand; ordered to pay civil fine of \$1,500; required to pay costs and attorney's fees; and required to successfully complete Business Conduct and Office Operation course, and an Ethics class.

**Owen, Diana L.**, sales associate with John L. Scott BOI in Boise. Stipulated and agreed to violation of section 54-2087(3)-failure to promote the best interest of the client in good faith, honest and fair dealing by disclosing to the client all adverse material facts actually known or which reasonably should have been known by the licensee. Given a formal reprimand; ordered to pay a civil fine of \$500; required to pay the costs and attorney's fees for the administrative action; and required to successfully complete a Real Estate Law course within 6 months.

**Smith, David C.**, sales associate with Holland Realty Inc., in Boise. Stipulated to violations of Idaho Code, sections 54-2023(1)(a)-failure to obtain adequate number of CE hours; 54-2060(5)-refusing to

provide documents requested by authorized representative; 54-2060(7)-misstatement in applying for a license renewal. Given a formal reprimand; ordered to pay a civil fine of \$250; and required to pay costs and attorney's fees.

**Vidakovich, John Louis**, associate broker formerly with Around Jackson Hole Real Estate LLC in Jackson, Wyoming. Stipulated to violations of Idaho Code, sections 54-2062(1)(b)-having a license issued in another jurisdiction suspended for a disciplinary action involving fraud, misrepresentation, dishonest or dishonorable dealing; 54-2062(2)-failure to notify the Commission of an administrative action taken within 20 days. Any interest in an Idaho Real Estate license is suspended while his Wyoming license is suspended. He may petition the Commission for reinstatement once the Wyoming suspension is lifted.

**Wellmaker, Jeffrey L.**, associate broker with Coldwell Banker Schneidmiller Realty in Coeur d'Alene. Stipulated to violations of Idaho Code, sections 54-2023(1)(a)-failure to complete necessary Continuing Education requirements; and 54-2060(7)-misstatement in applying for a license. Given a formal reprimand; ordered to pay a civil fine of \$250; and required to pay costs and attorney's fees.

**Winn, Randy S.**, sales associate with Keller Williams Realty-Boise in Boise. Stipulated to violations of Idaho Code, sections 54-2023(1)(a)-failure to complete necessary Continuing Education requirements; and 54-2060(7)-misstatement in applying for a license. Given a formal reprimand; ordered to pay a civil fine of \$50; and required to pay costs and attorney's fees.

**Youngwirth, Michael D.**, designated broker for River City Realty Inc., in Post Falls. Stipulated to violation of Idaho Code, sections 54-2055(2)-failure to disclose his license status as a principal to the transaction; 54-2055(3)-failure to run the transaction through a licensed responsible broker; 54-2038(1)(a)-failure to supervise the activities of a licensee associated with the brokerage company; 54-2044(2)-failure to create a ledger card. Given a formal reprimand; ordered to pay a civil fine of \$1,500; required to pay the costs and attorney's fees; and required to successfully complete a Business Conduct and Office Operations course, and an Ethics class.

Firms, designated brokers, associate

brokers or salespersons issued a civil penalty fine for violation of Commission Administrative Rule 121.03-failure of a licensee to maintain Errors & Omissions insurance or failure of a licensee to submit or cause to be submitted a Certificate of Coverage as required by section 54-2013, Idaho Code:

**Alexander, Kenneth Ryan**, salesperson with High Desert REALTORS@GMAC Real Estate, in Idaho Falls. Civil penalty fine of \$100.

**All American Realty Nampa, Inc.**, (Jack C. Bish, designated broker) in Nampa. Civil penalty fine of \$120.

**Argyle, Patricia A.**, reciprocal salesperson with Recreation Realty, in Garden City, Utah. Civil penalty fine of \$100.

**Baker, Priscilla S.**, salesperson with Treaty Rock Realty Inc., in Post Falls. Civil penalty fine of \$100.

**Bowman, David B.**, salesperson with Windermere Capital Group Commercial, Inc., in Boise. Civil penalty fine of \$100.

**Brocklebank, David S.**, associate broker with Bushell & Company, in Sun Valley. Civil penalty fine of \$100.

**Carlsen, Cynthia Jo**, salesperson with Keller Williams Realty East Idaho, in Pocatello. Civil penalty fine of \$100.

**Countrywide Properties**, (Jeff Lynn Lerwill, designated broker) in Rexburg. Civil penalty fine of \$100.

**Crawford, Mary Jo**, salesperson with Realty Executives of Treasure Valley, in Boise. Civil penalty fine of \$100.

**First Rate Real Estate, LLC**, (Kathleen J. "Kathie" Longbrake, designated broker) in Melba. Civil penalty fine of \$150.

**Garrett, Pamela S.**, salesperson with Holladay Real Estate, in Rexburg. Civil penalty fine of \$100.

**Gentry, Riki Lynn**, salesperson with Realty Executives of Treasure Valley, in Boise. Civil penalty fine of \$100.

**Gibbs, Christopher D.**, associate broker with Lakeshore Realty: Lakeshore Inc., in Coeur d'Alene. Civil penalty fine of \$100.

**Gotzinger, Carolyn S.**, salesperson with Heath Realty, in Riggins. Civil penalty fine of \$100.

**Gough, Brandi Joe**, salesperson with Canyonside Realty Inc., GMAC Real Estate, in Jerome. Civil penalty fine of \$100.

**Gunstream Commercial Real Estate, LLC**, (Jarrell Warren "Jerry" Gunstream, designated broker), in Nampa. Civil penalty fine of \$100.

*(continued on page 11)*

## License Stats

(as of June 1, 2003)

Active (broker & sales) .....	5,471
Active brokers .....	1,735
Active sales .....	3,737
Inactive (broker & sales) .....	1,734
Inactive brokers .....	380
Inactive sales .....	1,354
Active Companies .....	1,006

(Disciplinary from page 10)

**Hamilton, Robert L.**, designated broker with All Star Western, in Coeur d'Alene. Civil penalty fine of \$120.

**Hawkins, Gary R.**, designated broker with Hawkins & Cannariato, in Boise. Civil penalty fine of \$140.

**Hawkins, Matthew L.**, salesperson with Hawkins & Cannariato, in Boise. Civil penalty fine of \$100.

**Hess Jr., Francis J.**, associate broker with Realty Executives of Treasure Valley, in Boise. Civil penalty fine of \$100.

**Hills, Jeff**, salesperson with Homeland Realty, in Boise. Civil penalty fine of \$100.

**Hossner, Todd Cameron**, salesperson with Countrywide Properties Inc., in Rexburg. Civil penalty fine of \$100.

**Hudgens, Craig Paul**, designated broker with 1<sup>st</sup> Team Realty: Oxford Ventures, Inc., in Newport, Washington. Civil penalty fine of \$150.

**Hurt, Kenneth L.**, salesperson with Windermere Nampa/Caldwell: The Rose Corp., in Nampa. Civil penalty fine of \$100.

**Lansing, Karen Lee**, salesperson with Realty Executives of Eastern Idaho, in Idaho Falls. Civil penalty fine of \$100.

**Lerwill, Jeff Lynn**, designated broker with Countrywide Properties, in Rexburg. Civil penalty fine of \$140.

**Lloyd, Ronald L.**, salesperson with The Preferred Company, in Caldwell. Civil penalty fine of \$150.

**MacMillan, Michelle D.**, salesperson with Compass, Inc., in Boise. Civil penalty fine of \$50.

**McDonald, Ruth Elaine**, designated broker with River Mountain Realty, LLC, in Priest River. Civil penalty fine of \$50.

**Melba Valley Real Estate, LLC**, (Kathleen J. "Kathie" Longbrake, designated broker) in Melba. Civil penalty fine of \$150.

**Miller, Dan J.**, salesperson with Outback Realty, LLC, in Island Park. Civil penalty fine of \$100.

**Moore, Craig Alan**, salesperson with LeMoyne Realty, in Twin Falls. Civil penalty fine of \$100.

**Murray III, William Dukes**, reciprocal designated broker with Teton View Realty of Jackson Hole, in Jackson, Wyoming. Civil penalty fine of \$100.

**Noah, Sadie M.**, salesperson with Creed Noah Real Estate Company, in Cambridge, Idaho. Civil penalty fine of \$100.

**Nye, Randall P. "Randy"**, salesperson with Gunstream Commercial Real

Estate, in Nampa. Civil penalty fine of \$100.

**Paul, Peggy Sue**, salesperson with Brandt Agency, in Nampa. Civil penalty fine of \$100.

**Povlsen, John W.**, designated broker with Povlsen Company, REALTORS®, in Burley. Civil penalty fine of \$60.

**Profitt, Loris A.**, salesperson with Realty Associates Inc., in Lewiston. Civil penalty fine of \$100.

**Renick Realty, Inc.**, (Shirley Ann Renick, designated broker), in Sun Valley. Civil penalty fine of \$100.

**Renick, Shirley Ann**, designated broker with Renick Realty, Inc., in Sun Valley. Civil penalty fine of \$130.

**Ridenour, Leonard Stephen**, salesperson with Coldwell Banker Schneidmiller Realty, in Coeur d'Alene. Civil penalty fine of \$50.

**Ridgewood Realty, LLC** (Robert D. Parsons, designated broker) in Boise. Civil penalty fine of \$150.

**Rose, Roy Robert**, reciprocal designated broker with Big Sky Management, in Livingston, Montana. Civil penalty fine of \$100.

**Shackelford, Lisa A.**, salesperson with Homeland Realty, in Boise. Civil penalty fine of \$100.

**Skidmore, Brett C.**, salesperson with High Desert REALTORS® GMAC Real Estate, in Idaho Falls. Civil penalty fine of \$100.

**Snyder, Nathaniel Scott**, salesperson with Idaho Real Estate Company, in Nampa. Civil penalty fine of \$100.

**Sternke, Bruce G.**, salesperson with Windermere Capital Group Commercial Inc., in Boise. Civil penalty fine of \$150.

**Stranger, Brian C.**, salesperson with Lakeshore Realty: Lakeshore Inc., in Coeur d'Alene. Civil penalty fine of \$100.

**Teton Real Estate, Inc.**, (Jamie Kaye Wise, designated broker) in Driggs. Civil penalty fine of \$100.

**Vargas, Juan**, salesperson with Greylock Realty, in Boise. Civil penalty fine of \$100.

**Ward, Rex Jay**, designated broker with Realty Link, in Burley. Civil penalty fine of \$100.

**Webb, Paul T.**, designated broker with Recreation Realty, in Garden City, Utah. Civil penalty fine of \$120.

**Wilson, Erik G.**, salesperson with Keller Williams Realty East Idaho, in Pocatello. Civil penalty fine of \$100.

Designated brokers, associate brokers or salespersons issued a civil penalty fine for violation of sections 54-2002, 54-2018(2), and 54-2060(10), Idaho Code-failure to renew license in a timely manner, and continuing to practice as a licensee after license had expired:

**Bohecker, David Douglas**, salesperson with Mark Bottles Real Estate Services LLC, in Boise. Civil penalty fine of \$100.

**Brown, Mark C.**, designated broker with Pioneer Associates, in Ketchum. Civil penalty fine of \$90.

**Cypret, Janie Marie**, salesperson with Heartland Homes, in Meridian. Civil penalty fine of \$100.

**Doughey, Aaron R.**, salesperson with Windermere Capital Group Commercial, Inc., in Boise. Civil penalty fine of \$50.

**Estey, Cynthia Lynn**, salesperson with Keller Williams Realty-Boise, in Boise. Civil penalty fine of \$150.

**Forrester, Bryant J.**, salesperson with Homeland Realty, in Boise. Civil penalty fine of \$50.

**Geston, Marijke H.**, salesperson with Windermere Real Estate/Richard B. Smith, Inc., in Boise. Civil penalty fine of \$50.

**Goold, Lisa M.**, salesperson with Keller Williams Realty - Boise, in Boise Idaho. Civil penalty fine of \$50.

**Hunt, Brooks**, salesperson with Spectrum Realty, in Boise. Civil penalty fine of \$50.

**Jordan, Damion L.**, salesperson with Group One, Inc., in Boise. Civil penalty fine of \$50.

**Jordan, Samuel T.**, salesperson with RE/MAX of Boise, in Boise. Civil penalty fine of \$200 (2nd violation).

**Lodge, Daniel B.**, salesperson with Windermere Real Estate/Capital Group Inc., in Boise. Civil penalty fine of \$50.

**Mansfield, Marilyn Kay**, associate broker with The Brokerage, in Pocatello. Civil penalty fine of \$50.

**Murray III, William Dukes**, reciprocal designated broker with Teton View Realty of Jackson Hole, in Jackson, Wyoming. Civil penalty fine of \$50.

**Reeder, RoseAnn M.**, salesperson with McCall Real Estate Company, in McCall. Civil penalty fine of \$50.

**Schuster, Gregory A.**, associate broker Tomlinson Black Waterfront Division, in Spokane, Washington. Civil penalty fine of \$50.

**Serrano, Tracy Jean**, salesperson with

(continued on page 12)



(Disciplinary from page 11)

Gem State Realty Inc., in Twin Falls. Civil penalty fine of \$100.

**Smith, Dalan Elroy**, designated broker with Smith & Company Realty in Montpelier. Civil penalty fine of \$150.

**Stone, Randy D.**, salesperson with Coldwell Banker Resort Realty, in Sandpoint. Civil penalty fine of \$100.

**Tucker, Julie Ann**, salesperson with Bullock & Company REALTORS®, LLC, in Boise. Civil penalty fine of \$50.

**Whitworth, Morgan V.**, salesperson with RE/MAX Country Real Estate Inc., in Pocatello. Civil penalty fine of \$50.

**York, Richard A.**, salesperson with Holland Realty, Inc., in Boise. Civil penalty fine of \$50.

Designated brokers issued a civil penalty fine for violation of sections 54-2038(3) and 54-2060(10), Idaho Code-failure to adequately supervise by allowing an unlicensed person to represent the broker.

**Anderson, Michael W.**, designated broker with McCall Real Estate Company, in McCall. Civil penalty fine of \$50.

**Bottles, Mark K.**, designated broker with Mark Bottles Real Estate Services LLC, in Boise. Civil penalty fine of \$100.

**Bullock, Scott W.**, designated broker with Bullock & Company REALTORS®, LLC, in Boise. Civil penalty fine of \$50.

**Fanning, William Michael**, designated broker with Tomlinson Black Waterfront Division, in Spokane, Washington. Civil penalty fine of \$50.

**Hess, Walter L.**, designated broker with Gem State Realty Inc., in Twin Falls. Civil penalty fine of \$100.

**Hill, Erica L.**, designated broker with Keller Williams Realty-Boise, in Boise. Civil penalty fine of \$150.

**Hill, Erica L.**, designated broker with Keller Williams Realty - Boise, in Boise. Civil penalty fine of \$50.

## In Memory...

The Idaho Real Estate Commission extends their sympathies to the families of:

Thomas E. Flinders, Malad  
Marilyn Kaye Hunter, Homedale  
William H. Lehman, Pocatello  
Darrell L. Scruggs, Marsing

**Howard, Sally J.**, designated broker with Group One, Inc., in Boise. Civil penalty fine of \$50.

**Laude, John A.**, designated broker with Heartland Homes, in Meridian. Civil penalty fine of \$100.

**Lucas, Joseph P. "Rusty"**, designated broker with Homeland Realty, in Boise. Civil penalty fine of \$50.

**McCanlies, Donald J.**, designated broker with Coldwell Banker Resort Realty, in Sandpoint. Civil penalty fine of \$100.

**McTigue, Patrick M.**, designated broker with Holland Realty, Inc., in Boise. Civil penalty fine of \$50.

**Osburn, Steven Alan**, designated broker with Windermere Real Estate/Capital Group Inc., in Boise. Civil penalty fine of \$50.

**Rice, James "Jim"**, designated broker with Spectrum Realty, in Boise. Civil penalty fine of \$50.

**Rosenbaum Jr., Werner**, designated broker with RE/MAX Country Real Estate Inc., in Pocatello. Civil penalty fine of \$50.

**Smith, Geoffrey B.**, designated broker with Windermere Real Estate/Richard B. Smith, Inc., in Boise. Civil penalty fine of \$50.

**Spradling, Lee R.**, designated broker with The Brokerage, in Pocatello. Civil penalty fine of \$50.

**Stewart, Scott J.**, designated broker with Windermere Capital Group Commercial, Inc., in Boise. Civil penalty fine of \$50.

**Tracy, Michael Shaun**, designated broker with RE/MAX of Boise, in Boise. Civil penalty fine of \$100.

The following designated brokers have been issued citations for violations found during their audits:

**Bitton, Ronald W.**, designated broker with Professional Escrow Services, in Pocatello.

**Bowden, James F.**, designated broker with Compass Commercial Properties, in Boise.

**Castaneda, Sylvester**, designated broker with Mission Manor Realty, in Nampa.

**Clark, Richard P.**, designated broker with Colliers International, in Boise.

**Cleaver, Debbie Ann**, designated broker with Integrity Group Real Estate Services, in Eagle.

**Eddy, Michael J.**, designated broker with Michael J. Eddy Real Estate, in Boise.

**Galbraith, Joel William**, designated broker with Smyth & Jones Land Company, in Mack's Inn.

**Gregory, Steven G.**, designated broker with Pioneer Properties, in Boise.

**Gunstream, Jarrell Warren "Jerry"**, designated broker with Gunstream Commercial Real Estate, in Nampa.

**Hess, Walter L.**, designated broker with Gem State Realty Inc., in Twin Falls.

**Italiano, Christine**, designated broker with Help U Sell Team Realty, in Pocatello.

**Kirk, George R.**, designated broker with The Kirk Group, in Ketchum.

**Lee, Barbara V.**, reciprocal designated broker with Century 21 New Image Realty, in Ontario, Oregon.

**Luther, Patricia A.**, designated broker with RE/MAX of the Valley, in Lewiston.

**Manwaring, Brett J.**, designated broker with Home Pointe Real Estate LLC, in Idaho Falls.

**Mary, Scott E.**, designated broker with Bald Mountain Realty, in Ketchum.

**Mayes, Blake**, designated broker with RE/MAX Capital City, in Boise.

**McLean, Beverly A.**, designated broker with Coldwell Banker The Sun Valley Real Estate Company, in Ketchum.

**McNally, Frances Louise**, designated broker with Real Estate of Jackson Hole, in Jackson, Wyoming.

**Michener, Hoyt D.**, designated broker with Michener Investments, LLP, in Boise.

**Moody, James B.**, designated broker with All Around Realty, in Grangeville.

**Reece, Robert**, designated broker with Archibald - Reece Real Estate, in Rigby.

**Richard, Cyril K.**, designated broker with The Real Estate Company in Jackson, Wyoming.

**Runyan, Kathy A.**, designated broker with Alta Realty, in Driggs.

**Simon, Bruce Gordon**, reciprocal designated broker with Prime Properties of Jackson Hole LLC, in Wilson, Wyoming.

**Smith, Dalan Elroy**, designated broker with Smith & Company Realty, in Montpelier.

**Stanley Jr., Russell L.**, designated broker with Le Bois Realty, in Eagle.

**Stappler, Betty J.**, designated broker with Desert High Real Estate, in Marsing.

**Stimpson, Wm. Kim**, designated broker with Assist 2 Sell Buyer's & Seller's Realty, in Meridian.

**Therrien, Maurice J.**, designated broker with MSA Realty, in Boise.

**Vigliaturo, Steve D.**, designated broker with Premier Properties Real Estate, in Pocatello.

**Welsh, Larry K.**, designated broker with Coldwell Banker Gold Key Realty, in Preston. 



(FAQs from page 4)

have an active license, does it count toward my January 2004 renewal?

**Answer:** Maybe. Any approved course taken in the current license period would count toward the renewal, as long as it was not used to meet a continuing education deficiency. Keep a copy of your course completion certificate to present for CE auditing purposes.

**Question:** I just took 45 hours of CE in California. What do I need to renew my Idaho license?

**Answer:** If those hours are approved for CE credit toward your California real estate license (or any other state) they will be accepted in Idaho toward the elective hour requirement. You will still need to complete Idaho's CE Core course. Keep a copy of your course completion certificate for CE auditing purposes.

**Question:** What is the easiest way for me to find out what CE courses I've taken and what I still need to complete?

**Answer:** Keep your course certificates! If audited, you will be required to submit copies of all your CE certificates. There is no need to submit certificates to the Commission office unless you are being audited. For the CE Core Course and many of the elective courses, verification can be found by using the "online services" portion of the Commission's website.

**Question:** How can I verify a course is approved for CE credit?

**Answer:** Those courses that have been submitted directly to IREC for approval are listed on our website. If you do not find the course listed there, call the IREC staff at 208-334-3285, or toll-free at 866-447-5411 and we can tell you for certain if it is an approved course.

**Question:** If I take more than the 20 required hours, will the extra hours carry over to the next renewal?

**Answer:** Excess credits are not carried over to the next renewal period, but add to your professionalism and are a big part of your journey to success! (54-2023(3)).

**Question:** I received my CRS designation in the mid 70's. Can I use that over and over again every time I renew?

**Answer:** No. You must have completed the designation course within the most recent renewal period for it to count toward your renewal.

**Question:** I took a 4-hour Ethics course in March that was supposed to count toward my CE. I renew in October. How do I get credit for it from the Commission?

**Answer:** You will need to list this course on the CE Course Verification portion of your renewal. Keep a copy of your course completion certificate for CE auditing purposes. Do not turn in individual certificates to the Commission office unless specifically requested to do so for audit purposes.

**Question:** Is the qualifying broker responsible for maintaining the certificates for all licensees in the company?

**Answer:** No. Each licensee is responsible for keeping his/her own certificates.

**Question:** How will the Commission know if I took my continuing education?

**Answer:** The Commission will conduct a random audit by mail. The notices will request that the licensees submit certificates to be checked by Commission staff.


**Question:** What if I am audited and have not completed the required number of hours?

**Answer:** You will be in violation of license law and subject to disciplinary action.

**Question:** I hold a reciprocal license. What am I supposed to do in light of this new rule about keeping certificates in my files?

**Answer:** Reciprocal licensees may either meet continuing education requirements or have on file proof that they held an active license in another state at the time the Idaho license was renewed. If you choose the latter, the copy of the active license from the other state must be submitted with the Idaho renewal application and show that the active license expires after the Idaho renewal date.

**Question:** Can I take a continuing education course via distance education? For example, can I take an Internet course or a computer based course?

**Answer:** Yes you can, provided the course is either certified in Idaho, is approved for continuing education in another state, or is approved via any of the criteria listed in section 54-2023 Idaho Code. 

**It is highly  
recommended  
that you  
complete the  
Core course  
each year!**

**Have you been to our website?**

**www.idahorealestatecommission.com**

**Check it out!**

# Why Do You Need Insurance?

By Neal Bernklau, Licensing Supervisor

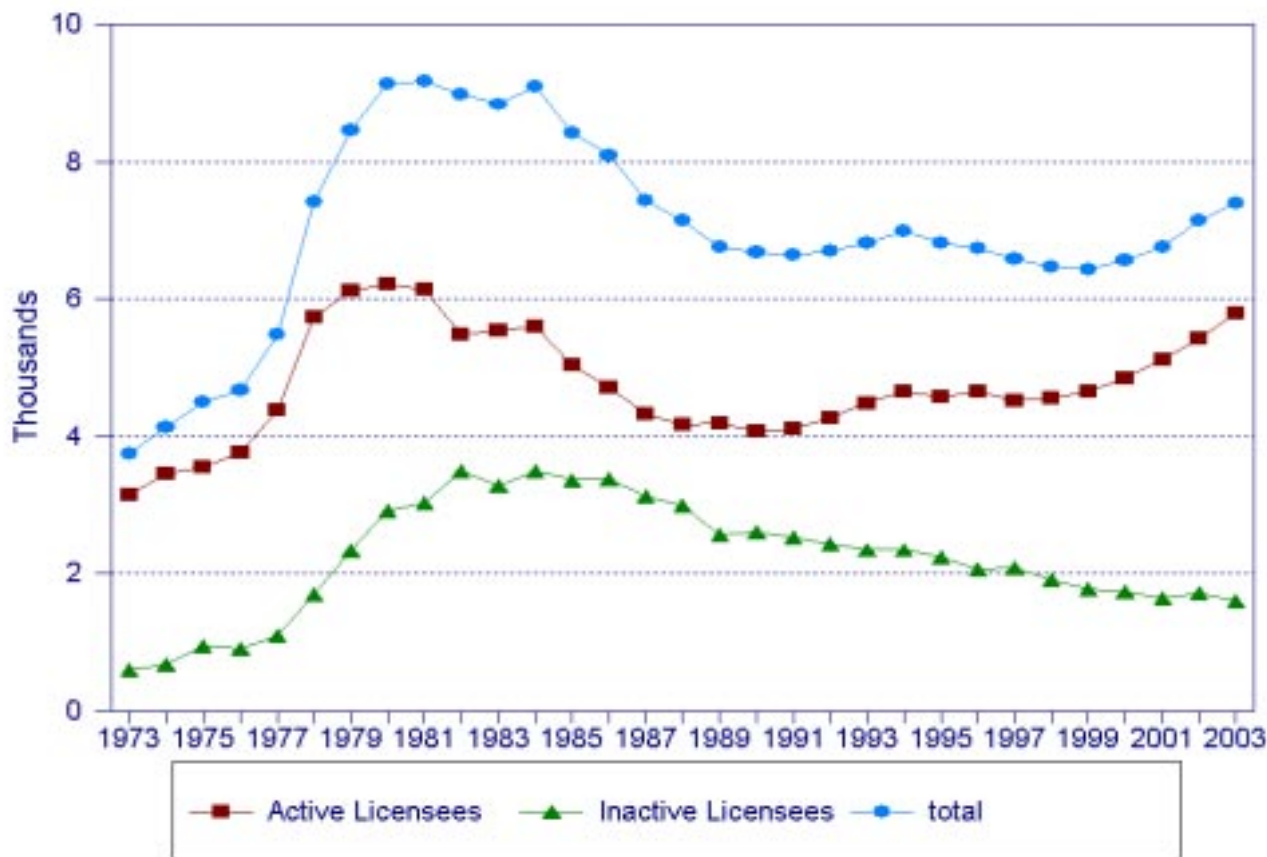
Since October 1994, there have been 714 reasons real estate agents should have Errors & Omissions (E&O) insurance. Approximately 58% of the active licensees in Idaho have purchased E&O insurance offered through the state contract. To date, there have been 714 allegations filed with MEDMARC totalling \$2,160,660.23 (your premiums) in cost and payouts. You ask why is the cost of insurance going up? One example is that in the past 9 years there have been 11 properties either sold twice or the wrong property sold, resulting in an indirect cost to the licensee of more than \$40,000.00 in legal costs and payouts.

*How can you help in reducing your premiums?* Practice risk reductions by doing your part to make everyone in the transaction proud that you were there to help.

## The top 15 E&O Insurance allegations filed in Idaho are:

Allegations	#Allegations	Total Payouts	%Ttl Claims
1. Breach of Duties	86	\$135,802.83	12.04%
2. Fraud	77	\$27,236.51	10.78%
3. Breach of Contract	49	\$292,956.50	6.86%
4. Consumer Protection Act	38	\$5,808.49	4.06%
5. Misrep Contract Terms	29	\$104,172.65	3.36%
6. Negligence	24	\$88,868.89	2.66%
7. Misrep Sewer	19	\$62,330.43	2.66%
8. Misrep Size of Property	18	\$71,975.46	2.52%
9. Misrep Condition	16	\$81,124.91	2.24%
10. Non-Disclose Assessment	14	\$3,375.00	1.96%
11. Boundaries	14	\$80,803.25	1.96%
12. Misrep Roof	13	\$38,923.43	1.82%
13. Misrep Septic	13	\$5,538.70	1.82%
14. Misrep Well	11	\$58,169.54	1.54%
15. Earnest/Escrow \$ Dispute	11	\$14,000.00	1.54%

## Estimated License Base (30-Year Period)



# Supply Order Form

Rev. 6/03

## Purchase Information

Real Estate publications that are listed as "free" can be ordered by mail, fax, phone, e-mail, or in person. Publications requiring payment must be ordered by mail or in person. Here's how to order:

- **By Mail:** Mail the completed form with the proper fee.
- **By Fax:** For free publications ONLY, fax the completed form to 208-334-2050.
- **By Phone:** For free publications ONLY, call our library at 208-334-3285 ext. 223 or 866-447-5411 ext. 223 toll free within Idaho.
- **By e-mail:** For free publications ONLY, e-mail [jhumphre@irec.state.id.us](mailto:jhumphre@irec.state.id.us)
- **In Person:** Bring this completed form to 633 N. 4<sup>th</sup> St., Boise.

## Acceptable Payment Methods:

- Personal Check
- Cashier's Check
- Money Order
- Cash (in person and only for exact amount)

## Make checks payable to:

Idaho Real Estate Commission (IREC)  
Attn: Library  
P.O. Box 83720  
Boise, ID 83720-0077

## Miscellaneous Information

- Prices are subject to change
- Orders received without sufficient payment will be returned
- All sales are final
- Allow 2-4 weeks for delivery
- Most publications & materials are available to download from the Commission's website at [www.idahorealestatecommission.com](http://www.idahorealestatecommission.com)

## Refund Policy

Because of rising costs associated with issuing a refund, it is the policy of the Idaho Real Estate Commission to refund overpayments of under \$25 only if requested in writing within 30 days of the Commission's receipt of the overpayment.

Overpayments of \$25 or more will be automatically refunded to the licensee. There will be a \$15 fee assessed for each check returned to the Commission for insufficient funds

PART A: Material Requested		Cost	Quantity	ubtotal	
2003 License Law & Rules Book		\$1.88			
Agency Law In Idaho Brochure (25/pkg)	<input type="checkbox"/> Spanish	1-4 pkg	\$5.94ea		
	<input type="checkbox"/> English	5-9 pkg	\$4.46ea		
		10+ pkg	\$2.97ea		
Business Conduct & Office Operations <i>correspondence course</i>		\$20.00			
Buyer Brokerage 4-hr elective <i>outline</i> (does NOT include exam)		\$4.70			
C2003 Continuing Education Core tape <i>purchase</i> . (Includes 1 copy of outline, but does NOT include exam)	VHS	\$60.00			
	Audio Tape	\$60.00			
	Audio CD	\$60.00			
	Video DVD	\$60.00			
	Outline	\$15.00			
Candidate Handbook		Free			
Consumer Brochure		Free			
Guidelines: Guideline number/title _____		Free			
Investigative & Hearing Process Brochure		Free			
License Manual		Free			
The Real Estatement		Free			
<b>PART B: Shipping Information</b>			<b>Subtotal</b>		
			<b>6% Tax</b>		
			<b>Total</b>		
Name		If your organization is tax exempt, you must include a copy of your tax exempt form.			
Business Name					
City	State				Zip
Phone	Fax				
E-mail					

# HONOR


# ROLL

## Offices with *NO* Audit Violations!

*(from November 1, 2002, through April 30, 2003)*

Office Audits Conducted	150
Offices With No Violations	35

**Marcelino Barrera**, Homes Online, Nampa  
**Patricia "Patty" Bell-Thompson**, Patty Bell & Company REALTORS®, Nampa  
**James L. Boyd**, J.L. Boyd Company, Boise  
**Nathan Brumley**, Heartland & Associates, Meridian  
**Scott W. Bullock**, Bullock & Company REALTORS®, Nampa  
**Paul E. Chase**, Chase & Associates Realty, Boise  
**Bradley Paul Dufur**, Sun Valley Real Estate, Ketchum  
**Richard Echevarria**, Homedale Realty, Homedale  
**Wanda Foster**, The Home Company Real Estate, Twin Falls  
**Jane Greene**, The Real Estaters, Orofino  
**Calvin Harmon**, Harmon & Associates, Fruitland  
**Michael J. Johnston**, Keller Williams Realty E. Idaho, Pocatello  
**Richard Jurries**, Double R Properties, Weiser  
**Karl Steven Laws**, Clearwater Realty, Orofino  
**Susan K. Larson**, Empire Realty Services (main office & Kamiah branch)  
**Steve M. Lewis**, Lewis Estate Brokerage, Boise  
**Beverly Long Ross**, Bev Ross Realty, Boise  
**Kem Leroy Marshall**, Team Realty, Nampa  
**Donald A. McFarland**, RE/MAX West, Boise

**Deborah "Debbi" Myers**, Myers Real Estate Brokerage, Boise  
**Orvan Dean Obray**, Obray & Co., Kuna  
**Robert Renfro**, Renfro Engelmann, Ketchum  
**Shirley Renick**, Renick Realty, Sun Valley  
**Margaret Robnett**, Hubble Homes, Meridian  
**Werrner Rosenbaum**, RE/MAX Country Real Estate, Pocatello  
**Steven Satterfield**, Satterfield Realty & Development, Pocatello  
**Marianne Scott**, Five Star Real Estate, Boise  
**Theodore "Ted" Stamos**, Alpha Real Estate, Boise  
**Jon L. Vanderwood**, John L. Vanderwood Real Estate, Malad City  
**Douglas D. Vollmer**, American Real Estate & Appraisal, Twin Falls  
**Todd Wardle**, BR Brokerage, Boise  
**Daniel T. Willert**, Jackson Hole Realty, Driggs  
**David R. Williams**, Diamond Properties, Boise  
**Dale E. Williamson**, Realty Executives Choice One, Nampa 

What's new with the Idaho Real Estate Commission

## The Real Estate

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